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Das Profil des Juristen in der europäiischen Tradition

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Both Walker and Cohen present critical views of the workings of the criminal justice system, but one gives a broad perspective over a long span of history while the other seems more concerned to evoke our indignation and despair over its abuses.

WILBUR R. MILLER

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Klaus Luig and Detlef Liebs, eds., *Das Profil des Juristen in der europäischen Tradition*. Ebelsbach am Main: Verlag Rolf Gremer, 1980. ix, 447 pp. DM 64.00.

This book is a collection of essays on the topic of the European legal profession from the earliest period of Roman history to the present. It is a Festschrift to celebrate the seventieth birthday of the eminent legal historian, Professor Franz Wieacker. The variety of scholarship within the subject can be appreciated from the following freely translated list of the articles:

J. G. Wolf, "Comitia, quae pro conlegio pontificum habentur—the public authority of the priests"; O. Behrends, "Tiberius Gracchus and the jurists of his time—Roman jurisprudence and the crisis of 133 B.C."; D. Liebs, "Non-published Roman jurists of the imperial period"; W. E. Voss, "Jurists and rhetoricians as drafters of the statutes of Theodosius II"; M. Fuhrmann, "Linguistic observations on Theodulf's *Paraenesis ad indices*"; H. Lange, "The nobility of the doctor of laws"; K. Luig, "The kingship of the judge and *cadi* law in the age of natural law and the *usus modernus*: Augustin Leyser (1683-1752)"; M. Diesselhorst, "The litigation of Arnold the miller and the interference of Frederick the Great"; C. Wollschläger, "Civil litigation and economic growth in the Rhineland from 1822 to 1915"; L. Lombardi Vallauri, "Some aspects and possible developments of the legal profession today."

This volume is devoted to the eternal problem of the existence and role of the professional jurist. Wolf is interested in the secularization of the administration of justice out of the domain of the priest class. Behrends devotes himself to the influence of philosophy on the jurists. Liebs discusses the continuity of the professional legal culture and the literary tradition. The thesis of Voss, on the other hand, is the continuity of law and rhetoric in a time of decline of professional jurisprudence. The essay of Fuhrmann deals with an era during which the administration of justice did not lie in the hands of professional jurists; it was a time when theology and ethics dominated rhetoric. Lande then discusses an important aspect of the modern prestige of lawyers as coming from their class position in the middle ages.

Luig writes about the challenge of the rule of reason to the Roman legal tradition of jurisprudence in the seventeenth and eighteenth centuries, before the total refounding of private law by the codification, which was

inspired by the ideas of natural law. The position of the judge under an absolute sovereign is considered by Diesselhorst; this article deals with the political rights of kings or whomever to interfere with the administration of justice. The research of Wollschläger demonstrates the connection between economic development and the dispute resolution activities of the legal profession during the industrial revolution. In the final essay, Lombardi returns to the beginnings of law; he sees jurists as pathologists in a social state which lacks the spirit of Christian brotherhood.

These essays are all of the highest quality, adding many new insights to our understanding of the development of the legal profession. The Festschrift is a fine compliment to Professor Wieacker.

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John Willis, *A History of Dalhousie Law School*. Toronto: University of Toronto Press, 1979. vi, 302 pp. \$20.00.*

In this distinct and important contribution to the history of legal education on the North American continent, John Willis provides a complete, detailed and interesting story of the creation and development of Dalhousie Law School. The account ranges from the founding and original organization of the Law Faculty of Dalhousie University in 1883 through its activities and development into its ninety-third year in 1976. Professor Willis is extraordinarily well prepared and qualified to prepare this report on the development of common-law legal education in Nova Scotia as well as in the Maritime Provinces and, indeed, in all Canada. In 1934, Dean Vincent Macdonald offered him a permanent place on the Dalhousie Law Faculty. Willis accepted and continued to serve for eleven years. In 1944 he went to Osgoode Hall and then to the University of Toronto Law School. There followed periods of public service and private practice, along with further law teaching at the University of British Columbia and the University of Toronto. Finally in 1972, Willis returned to Dalhousie and continued to teach there until he retired in 1975.

In 1883 there was no thought in Canada or England that a university was the place to prepare for the life of a practitioner of the law. However, a change took place in Canada when several of the younger practitioners in Nova Scotia are said to have desired to make a change in the then-customary "apprenticeship system" of qualifying for practice. The result was something the University desired: the creation of a professional school for Dalhousie, with the help of an endowed chair in Constitutional and International Law from George Munro. Munro suggested that Richard Chapman Weldon be the first occupant of that chair and Weldon became the founding Dean of the Law Faculty at Dalhousie.